REMARKS

The January 30, 2003, Office Action ("Office Action") withdrew the prior rejection of Claims 6 and 29 under 35 U.S.C. § 112 and the rejection of Claims 1-21 and 23-43 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,493,677 (Balogh et al.). Claims 22 and 44 remain rejected under 35 U.S.C. § 103 as being unpatentable in view of the teachings of Balogh et al. The Office Action also recognized that Claims 1-9, 11-32, and 34-44 remain pending in this application, Claims 10 and 33 having been canceled.

The Office Action also acknowledged the request for continued examination (RCE) filed under 37 C.F.R. § 1.114.

While the Office Action withdrew the rejection of Claims 1-21 and 23-43 under 35 U.S.C. § 102(b) as being anticipated by Balogh et al., these claims were rejected along with Claims 22 and 44 under 35 U.S.C. § 103(a) as being unpatentable under the teachings of Balogh et al. While applicants respectfully disagree with this rejection, in order to advance the prosecution of this application, all of the independent claims (1, 16, 24 and 38) have been amended. In addition, many of the dependent claims, namely, Claims 3, 6-9, 11, 12, 14, 18, 29-32, 34, 35, and 40, have been amended. Claims 13 and 36 have been canceled. Prior to discussing in detail why applicants believe that all of the claims in this application are allowable, a brief description of applicants' invention and a brief description of the cited and applied reference are provided. The following discussions of applicants' invention and the cited and applied reference are not provided to define the scope or interpretation of any of the claims of this application. Instead, these discussions are provided to better help the United States Patent and Trademark Office better appreciate important claim distinctions discussed thereafter.

The Invention

The invention is directed to a method, apparatus, and computer-readable medium for searching media clip databases associated with a media application program wherein the media clip database includes find similar clips indicia and keywords. The find similar clips indicia include hidden criteria. The find similar clips indicia and the keywords describe each associated media clip in the media clip database.

The method generally comprises, in response to a user selecting a media clip, retrieving information, including keywords, associated with a selected media clip from the media clip database. The method further comprises simultaneously presenting to the user for a selection by the user: (i) the keywords associated with the media clip; and (ii) a find similar clips indicia, the

find similar clips indicia including hidden criteria. The method also comprises, in response to the user creating search criteria by selecting one or more of the keywords associated with the selected media clip and/or the find similar clips indicia, retrieving all media clips in the media clip database that match the search criteria created by the user.

The method also provides a user interface for a visual thesaurus for a media clip database associated with a multimedia application program, the media clip database containing information, including find similar clips indicia with hidden criteria and keywords, that describes each associated media clip in the media clip database. Directly in response to the user selecting a media clip from the media clip database, the method provides for displaying to the user an option for finding similar media clips that have an associated find similar clips indicia and/or keyword that matches the selected clip.

The invention also provides a computer-readable medium having computer-executable instructions for performing the method of the invention.

The invention further provides an apparatus for searching a plurality of media clips comprising a processing unit and a storage medium coupled to the processing unit, the storage medium storing program code implemented by the processing unit to (i) provide an interface for a user to select a media clip from a media clip database associated with a multimedia application program, wherein the media clip database contains information, including find similar clips indicia with hidden criteria and keywords, that describes each associated media clip in the media clip database; (ii) provide an interface for the user to select search criteria based on find similar clips indicia and/or keywords associated with the selected media clips; and (iii) in response to the user selecting a media clip and the search criteria, retrieve all media clips in a media clip database that have associated find similar clips indicia and/or keyword that matches the selected search criteria for the selected media clip.

The invention also provides an apparatus for providing a user interface for a visual thesaurus for a media clip database associated with a multimedia application program wherein the media clip database contains information, including find similar clips indicia and keywords, that describes each associated media clip in the media clip database. The apparatus comprises a processing unit and a storage medium coupled to the processing unit. The storage medium stores program code implemented by the processing unit for displaying to a user an option for finding similar media clips that have associated find similar clips indicia with hidden criteria and keywords that match the associated keywords for a selected media clip directly in response to the user selecting the media clip.

In summary, both the method and apparatus employ two techniques that can be used separately or together to select media clips from a media clip database--keywords associated with a media clip being viewed and/or a find similar clips indicia that includes hidden criteria, i.e., criteria not observable by a user and not changeable by a user. Examples of find similar clips indicia are artistic style, color, and shape. These find similar clips indicia have hidden criteria that, as noted above, cannot be modified by a user.

United States Patent No. 5,493,677 (Balogh et al.)

Balogh et al. generally discloses retrieving images using a natural language interface. Digitized images are associated with English language captions and other data, collectively known as the metadata associated with the images. A natural language processing database removes ambiguities from the metadata, and the images in the metadata are stored in databases. A user forms a search query, and natural language processing is used to determine matches between the query and the stored metadata. Images corresponding to the matches are then viewed, and desired images are selected for licensing. The license terms for selected images are displayed and a subset of the selected images is ordered as desired by the user.

In summary, Balogh et al. discloses retrieving images using a natural language interface and English language metadata associated with the image. Balogh et al. fails to teach or suggest a find similar clips indicia that includes hidden criteria such as artistic style criteria, color criteria, or shape criteria. Further, Balogh et al. fails to teach or suggest causing the retrieval of keywords associated with a selected media image from a media clip database. Balogh et al. also fails to teach or suggest presenting the retrieved keywords. Balogh et al. additionally fails to teach or suggest enabling a user to select search criteria based on the keywords associated with a selected media clip to retrieve all media clips in a media clip database that have matching keywords. While Balogh et al. purportedly teaches that information inquiries are processed as in conventional keyword searching techniques (col. 12, lines 9-11), Balogh et al. does not disclose displaying keywords associated with a selected multimedia clip for selection by a user for subsequent searching.

Remarks accompanying the Office Action disagree with the foregoing discussion of Balogh et al.'s lack of teaching of the use of keywords. In response to applicants' arguments, the Office Action states that Balogh et al.'s "captioner" provides each image with metadata in the form of a caption describing salient features of an image, bibliographic data, "suggest fields," and attributes for each image. Since said metadata can include descriptive words, as well as

teaching that captions/bibliographic information can be reused for iterative query, and since Balogh et al. teaches that keyword searching can be applied to querying (col. 12, lines 8-14, being referenced), said teachings provide a reasonable suggestion to one of ordinary skill in the art of the use of metadata as keywords. The remarks further state that, in addition, the metadata is displayed to a user for subsequent querying of images. The remarks further state that although Balogh et al. teaches an embodiment comprising natural language sentence captions, the words of said sentences are suggestive of keywords, since Balogh et al. teaches parsing a query into individual tokens representing single words or multiwords, said words subsequently matched to various captions within the search process. Balogh et al. col. 12, lines 33-37, are referenced.

While applicants respectfully disagree with the foregoing discussion of the teachings of Balogh et al., it is clear that Balogh et al. does not disclose anything whatsoever remotely related to displaying or providing a find similar clips indicia wherein said find similar clips indicia includes hidden criteria such as, for example, artistic style criteria, color criteria, and shape criteria. As noted above, hidden criteria are criteria that are not changeable by a user. Further, hidden criteria are not displayed to a user. Only the broad characteristic--artistic style, color, or shape--are displayed.

Claims 1-9, 11-12, 13-32, 34, 35, and 37-44

As amended, Claim 1 reads as follows:

1.   A method for searching a media clip database associated with a multimedia application program, wherein said media clip database contains information, including keywords and hidden criteria associated with find similar clips indicia, that describes each associated media clip in said media clip database, comprising:

(a)   in response to a user selecting a media clip, retrieving information, including hidden criteria associated with find similar clips indicia and keywords, associated with said selected media clip from said media clip database;

(b)   simultaneously presenting to the user for selection by the user:

(i)   said keywords associated with said media clips; and

(ii)   said find similar clips indicia having associated hidden criteria; and

(c)   in response to the user creating search criteria by selecting one or more of said keywords and/or said find similar clips indicia associated with said selected media clip, retrieving all media clips in said media clip database that match the search criteria created by the user.

Claim 1 clearly recites a method for searching a media clip database associated with the media application program wherein the media clip database contains information, including keywords and hidden criteria associated with find similar clips indicia, that describes each associated media clip in the media clip database. As noted above, Balogh et al. does not clearly teach the use of keywords. More importantly, Balogh et al. does not teach hidden criteria associated with find similar clips indicia. Hidden criteria are criteria not available or not displayed to a user. In this regard, Claim 1 goes on to recite that the method includes, in response to a user selecting a media clip, retrieving information, including hidden criteria associated with find similar clips indicia and keywords, associated with said selected media clip from the media clip database. The method further comprises simultaneously presenting to the user for selection by the user both keywords associated with the media clip and find similar clips indicia having associated hidden criteria. Balogh et al. does not teach or even remotely suggest presentation of both keywords and find similar clips indicia to a user for selection by the user. Claim 1 also recites, in response to the user creating search criteria by selecting one or more of said keywords and/or said find similar clips indicia associated with said selected media clip, retrieving all media clips in said media clip database that match the search criteria created by the user. Since Balogh et al. does not teach presenting keywords in find similar clips indicia, clearly, Balogh et al. does not disclose retrieving all media clips in a media clip database that match the search criteria created by the user based on a selection of one or more of the keywords and/or the find similar clips indicia.

In conclusion, Balogh et al. clearly does not teach or even remotely suggest the subject matter of Claim 1 taken as a whole. As a result, applicants respectfully submit that Claim 1 and all of the remaining claims in this application that depend from Claim 1, namely, Claims 2-9, 11, 12, 14, and 15, are clearly allowable. Consequently, withdrawal of the rejection of these claims based on the teachings of Balogh et al. and allowance of the claims is respectfully solicited.

Many of the claims depending from Claim 1 are submitted to be allowable for additional reasons. For example, Claims 6, 7, 8, and 9, all of which depend from Claim 1, recite that the hidden criteria of find similar clips indicia is based on specific criteria, namely, artistic style, color, and shape. Clearly, this subject matter is not taught or even remotely suggested by Balogh

et al., particularly when considered in combination with the subject matter of Claim 1. As a result, applicants respectfully submit that these claims and other claims dependent upon Claim 1 are allowable for reasons in addition to the reasons why Claim 1 is allowable.

As amended, Claim 16 reads as follows:

16. A method for providing a user interface for a visual thesaurus for a media clip database associated with a multimedia application program, wherein said media clip database contains information, including hidden criteria associated with find similar clips indicia and keywords, that describes each associated media clip in said media clip database, comprising:

directly in response to a user selecting a media clip from said media clip database, displaying to the user an option for finding similar media clips that have an associated find similar clips indicia hidden criteria, and/or a keyword that matches the find similar clips indicia hidden criteria, and/or keyword associated with the selected clip.

Claim 16 is directed to a method for providing a user interface for a visual thesaurus for a media clip database associated with a multimedia application program. The media clip database is recited as containing information, including hidden criteria associated with find similar clips indicia in keywords, that describes each associated media clip in the database. The method is recited as, directly in response to a user selecting a media clip from the media clip database, displaying to the user an option for finding similar media clips that have an associated find similar clips indicia hidden criteria, and/or a keyword, that matches the find similar clips indicia hidden criteria, and/or keyword associated with the selected clip. As discussed above, clearly this subject matter is not taught or suggested by Balogh et al. While applicants disagree with the Office Action's position regarding Balogh et al.'s disclosure of keywords, even if correct, Balogh et al. clearly does not disclose hidden criteria associated with find similar clips indicia and displaying an option to a user to select a find similar media clips indicia that employs hidden criteria, and/or a keyword. As a result, applicants respectfully submit that Claim 16 and the claims dependent therefrom (Claims 17-23) are clearly allowable in view of the teachings of Balogh et al.

Claim 24, as amended, reads as follows:

24. (Amended) An apparatus for searching a plurality of media clips, comprising:

(a)   a processing unit; and

(b)   a storage medium coupled to the processing unit, the storage medium storing program code implemented by the processing unit for:

(i)   providing an interface for a user to select a media clip from a media clip database associated with a multimedia application program, wherein said media clip database contains information, including hidden criteria associated with find similar clips indicia and keywords, that describes each associated media clip in said media clip database;

(ii)   providing an interface for the user to select search criteria based on find similar clips indicia hidden criteria and/or a keyword associated with said selected media clip; and

(iii)   in response to the user selecting the media clip and the search criteria, retrieving all media clips in the media clip database that have associated find similar clips indicia hidden criteria, and/or a keyword that matches the selected search criteria for the selected media clip.

As noted above, Claim 24 is directed to an apparatus for searching a plurality of media clips comprising a processing unit and a storage medium coupled to the processing unit. The storage medium stores program code implemented by the processing unit for providing an interface for a user to select a media clip from a media clip database associated with a multimedia application program, the media clip database containing information, including hidden criteria associated with find similar clips indicia and keywords, that describes each associated media clip in the media clip database. The program code also provides an interface for the user to select search criteria based on find similar clips indicia and/or a keyword associated with the selected media clip. The program code further provides, in response to the user selecting a media clip and the search criteria, retrieving all media clips in the media clip database that have associated find similar clips indicia hidden criteria, and/or a keyword that matches a selected search criteria for the selected media clip. As discussed above with respect to Claims 1 and 16, the use of keywords is not taught or suggested by Balogh et al. Even if the Office Action's position regarding Balogh et al.'s disclosure of keywords is correct, which applicants specifically deny, clearly Balogh et al. does not teach a clip database that contains information including hidden criteria associated with find similar clips indicia, much less use this information to retrieve media clips based on the associated hidden criteria. As a result, applicants respectfully submit that Claim 24 and all the claims dependent therefrom remaining in this application (Claims 25-32, 34, 35, and 37) are clearly allowable. Applicants further submit

that many of these dependent claims, when considered in combination with the subject matter of the claims from which these claims depend, are also allowable for additional reasons. For example, Balogh et al. does not teach the subject matter of Claims 29-32.

Claim 38, as amended, reads as follows:

38. (Amended) An apparatus for providing a user interface for a visual thesaurus for a media clip database associated with a multimedia application program, wherein the media clip database contains information, including hidden criteria associated with find similar clips indicia and keywords, that describes each associated media clip in said media clip database, comprising:

(a) a processing unit; and

(b) a storage medium coupled to the processing unit, the storage medium storing program code implemented by the processing unit for displaying to a user an option for finding similar media clips that have associated find similar clips indicia hidden criteria, and/or a keyword that matches an associated keyword for a selected media clip, directly in response to the user selecting the media clip.

Claim 38, like Claim 16, is directed to providing a user interface for a visual thesaurus for a media clip database associated with multimedia programs, albeit in apparatus rather than method form. Claim 38 specifically recites that the media clip database contains information, including hidden criteria associated with find similar clips indicia and keywords, that describes each associated media clip in the media clip database. The apparatus is recited as comprising a processing unit and a storage medium coupled to the processing unit. The storage medium is recited as storing program code implemented by the processing unit for displaying to a user an option for finding similar media clips that have associated find similar clips indicia hidden criteria and/or a keyword that matches an associated keyword for a selected media clip, directly in response to the user selecting a media clip. This subject matter is not taught or suggested by Balogh et al. Regardless of the Office Action's position regarding Balogh et al.'s teaching of the use of keywords, which applicants specifically refute, clearly Balogh et al. does not teach hidden criteria associated with find similar clips indicia or the use of find similar clips indicia hidden criteria to find matching media clips. As a result, applicants respectfully submit that Claim 38 and all the claims dependent therefrom (Claims 39-44) are clearly allowable in view of the teachings of Balogh et al.
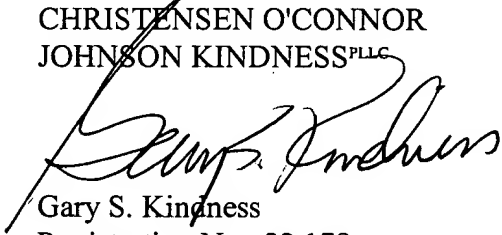
CONCLUSION

In summary, applicants respectfully submit that all the claims remaining in this application are clearly allowable. Consequently, early and favorable action allowing these claims and passing this application to issue is respectfully solicited.
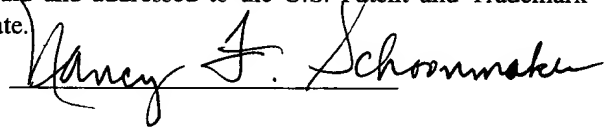
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